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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,646	02/21/2001	Stacy Rhea Steuart	52493.000127	7075

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12/27/2006

EXAMINER

FISCHETTI, JOSEPH A

ART UNIT	PAPER NUMBER
3627	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/788,646

Applicant(s)

STEUART ET AL.

Examiner

Joseph A. Fischetti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) 4-6,9-11,15,17-20,25-27 and 31-52 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,7,8,12-14,16,21-24,28-30 and 35 is/are rejected.
- 7) ☒ Claim(s) 3/23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1¹⁵ rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the verbs, "receiving", "accessing", "displaying", etc. all need to be recited in the context of a computer connected to the network.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1, 2, 3, 7, 8, 12, 13, 14, 16, 21, 22, 23, 24, 28, 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett et al. in view of Hanby et al.

Bennett et al. disclose a dedicated terminal 1003 at which data is exchanged. As such, it discloses providing sales-related data over a network (SHIPPING OR BUY/BIDDING), the sales related data being forwarded from a supplier (iShip) to a broker (shipper PC 1003) and being customized for the broker (user enters provider's system through a hypertext e-mail link), receiving at a supplier a request for sales-related data from a user associated with a broker (user uses the computer of the broker to get nearest shipping location based on e mail address), the request for sales related data input from a broker network address being utilized by the user to submit the request for sales related data (see, col. 20, line 42, shipping center data defaults to preset origin zip code locations based on e-mail address recognized at log on) ; accessing broker information from a broker information database based on the broker network address (ship center database is accessed for shipping location); displaying to the user at least a portion of the broker information with at least a portion of related information (system displays the location of nearest shipping location, col.20); receiving request-

related information from the user (user sends weight of package information to system).

But Bennett et al fail to disclose an insurance based inquiry system and thus does not disclose accessing state related information that includes at least one of the users state of residence and the state in which the broker is licensed and generating the sales-related data based on the received request-related information based on the state related information. However, Hanby et al. do disclose an internet based insurance sales method/system wherein the quote engine requires rules to effect the desired quote see, col. 6 line 35; official notice is taken of the state based rates for insurance policies. It would be obvious to modify Bennet et al to include the internet based insurance purchasing application taught by Hanby et al. the motivation being the rapidity of ordering before rate changes occur. The article claims of 21 et seq. are deemed met by the function described above in terms of the apparatus which performs same.

2/22. Bennett et al. disclose asking the user to select the user's state of residence; and receiving the user's state of residence selection, and the user's zip code caused the closest most location to be displayed thereby answering

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wherein the step of generating the sales-related data includes the sub-step of determining the sales-related data to generate based on the user's state of residence selection.

Re claim 7. Bennett et al disclose original zip code which answers to receiving a state of residence.

Re claim 8. The freight charge is read as sales-related duty.

Re claims 12,13,14, 28,29,30: official notice is taken of the old and notorious practice of generating an error message, returning incomplete forms and generating a decline message for unacceptable responses.

Re claim 16/35: Hanby et al. disclose including broker contact information at col. 4.

Re claim 53 see col. 14 lines 25-30.

Claims 3/23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph^(only claim 3) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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Applicant's arguments with respect to claim 9/24/06 have been considered but are moot in view of the new ground(s) of rejection.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Joseph A. Fischetti at telephone number 571 272 6780.

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Joseph A. Fischetti
Primary Examiner
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Joseph A. Fischetti
JOSEPH A. FISCHETTI
PRIMARY EXAMINER